

EXHIBIT A

Approved: 2/25/02
Revised 11/18/02
Revised 10/20/03
Revised 8/13/04
Revised: 3/6/05
Revised 8/2/11
Revised 1/16/13

**GUIDELINES FOR
UNIVERSITY TRADEMARK USE BY
STUDENT AND CAMPUS ORGANIZATIONS**

1. INTRODUCTION

Iowa State University benefits from public recognition of its names, symbols, logos and other identifying marks (Marks). The University has delegated the management of these Marks to the Trademark Licensing Office (Trademark Licensing), housed under the Office of Business and Finance, and has contracted with The Licensing Resource Group (LRG) for administrative and marketing services.

The University's student and campus organizations (Organizations) may use ISU's name and marks consistent with their recognized status with University, as well as the *Iowa State University Trademark Management Policy* (Policy), *the Licensing Program Guidelines for the Use of Iowa State University's Marks* (Program Guidelines), these *Guidelines for University Trademark Use by Student and Campus Organizations*, and procedures adopted to implement the above policy and guidelines.

2. LAW, OWNERSHIP, AND MANAGEMENT OF MARKS

Federal, state, and common laws govern the University's rights to its Marks. These laws place an obligation on the University to avoid consumer confusion and require the use of any Marks be monitored to avoid losing exclusive control. The University owns federal service mark registrations and trademark registrations on its Marks, which assist in enforcing and maintaining these rights.

Trademark Licensing and LRG are responsible for the legal protection of the Marks, which includes approving users of the Marks and approving the use of the Marks. This legal protection is accomplished in two ways: (i) through Trademark Licensing and LRG, individuals, organizations, and businesses are granted the right to use the Mark; licensing agreements provide the necessary control required by federal trademark law; and (ii) through consistency in the use of the Marks within the University.

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To promote and protect the University's image and to comply with federal trademark laws, Trademark Licensing must approve use of the University's trademarks on commercial products. The Student Use Guidelines are in place to assist Organizations in the proper use of the University's trademarks. It is important to the University that students recognize the importance of monitoring and protecting these Marks and to become knowledgeable and skillful in their protection. It also promotes fair and equitable treatment of our licensees and avoids unfair competition with our retailers.

3. GENERAL PRINCIPLES

Use by Student and Campus Organizations is governed by the following principles:

- a. The University trademarks its name and marks in order to assure appropriate identification of the University and its constituent units and to preserve the University's reputation by avoiding misrepresentation of the University's mission, purposes, divisions and units. The marks are reserved for University purposes.
- b. Student and Campus Organizations, as self-governing organizations, have no right to use the names and marks of the University, beyond uses that factually identify the organization as being affiliated with, or located at, Iowa State University unless the University has granted permission as provided by these Guidelines.
- c. Iowa State University has adopted a Student Organization Recognition Policy that distinguishes between sponsored, affiliated and registered organizations. These tiers recognize the extent to which the Student Organization's activity is supported and endorsed by the University. The Student Organization Recognition Policy determines the relationship between Student Organizations to the University, including whether their activities are activities of the University or are endorsed by the University. These Guidelines will be implemented to support the Student Organization Recognition Policy.
- d. The University's name and Marks may not be used in a manner which falsely portrays the University's mission, services, initiatives and positions. The University's name and marks may not be used to imply support or endorsement of a particular position on matters of public concern, unless the University or one of its units has indeed adopted a position and authorized the use.
- e. These guidelines are not intended to prevent the use of the University's name (as opposed to Marks) in a factual, critical or descriptive manner. Organizations which

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have received recognition from a university unit (including recognized, affiliated and sponsored organizations) are permitted to use the name (as opposed to logos and nameplate) to factually indicate their connection to the University.

4. APPROVAL & MONITORING ORGANIZATION USES

All internal uses of the Marks by Organizations are monitored or approved by Trademark Licensing, Student Activities Center, or Campus Organizations Accounting Office.

- a. Monitoring. Trademark Licensing monitors the use of the Marks when used on printed material such as letterhead, flyers, newspaper advertising, web sites, etc., to identify or advertise Organization activities. Upon request, Trademark Licensing will review any printed materials before they are produced.
- b. Approval. Approved use of the Marks will be based on the general principles (see Section 3) and current design standards (see Section 6 of this document, and/or Licensing Program Guidelines and/or Internal Guidelines), the verification of the Organization status, and identification of the Organization name on the product. If the Marks are used on printed materials or products that require use of an Organization's funds, the financial transactions must be conducted through the Campus Organizations Accounting Office.

All Organizations are required to have custom orders for products with the Marks produced by licensed vendors. A list of licensed vendors is available by contacting Trademark Licensing at 515-294-4402 or trademark@iastate.edu or using the searchable database on Trademark Licensing's web site (<http://www.trademark.iastate.edu/merchandise/>).

Organizations are required to complete the on-line Internal Trademark Use Form found on Trademark Licensing's web site (<http://www.trademark.iastate.edu/forms/>). Submitted forms are reviewed on a daily basis or with 48 hours. It is the responsibility of the Organization to have all uses that include University trademarks approved by Trademark Licensing prior to use.

Organizations that qualify for a web site must follow the Student Activities Center's Guide to Student Organization Web Space (www.stuorg.iastate.edu/start) and follow the

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University's Domain Name System Policy (www.policy.iastate.edu/policy/dns). The Organization's web site must contain the recognized name of the Organization as specified in Section 6.a. Student Organizations can use university trademarks (Iowa State words, symbols and graphics) on their web sites if those web sites are part of the ".iastate.edu" domain or if a domain name exception has been approved by IT Services. Dispensation, defined as a specific need which cannot be satisfactorily handled by the University, may be made by sending a request, with a detailed rationale for the exception, to webdev@iastate.edu.

5. ROYALTY, EXEMPTIONS, AND PAYMENT VOUCHERS

Custom orders for licensed goods are subject to the standard 10% royalty. An exemption is not automatically granted for a waiver of royalties for the items purchased by an Organization. The Organization must apply for an exemption by completing the on-line Internal Trademark Use Form. An exemption may be granted to a recognized Organization that sells product at cost to its members or on purchases that are given away. An exemption will not be granted to a recognized Organization that sells product to its members above cost, for fundraising or resale, or items sold outside of its membership (to friends, family, etc.).

Items purchased by the Organization for fundraisers need not contain the recognized name of the Organization as specified in Section 6.a. Notwithstanding the foregoing, all product purchased by the Organization for its members to utilize when representing their Organization must contain the officially registered name of the Organization as specified in Section 6.

Products purchased for the express purpose of raising funds through periodic sales for the Organization must follow Student Activities Center's Event Authorization procedures and complete the **Event Authorization and Notification Form** at www.sac.iastate.edu/eventauthorization and Campus Organizations Accounting Office procedures. Trademark Licensing may require copies of the authorization approval email for verification from the Student Activities Center.

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Trademark Licensing authorizes all royalty exemptions. A request for a royalty exemption is part of the on-line Internal Trademark Use Form under usage as defined above. The completed form will be sent electronically to Trademark Licensing for review. Once reviewed, electronic messages will be sent to the Organization member submitting the request, the Organization's advisor, and the licensee on the status of the request including whether or not an exemption has been granted. Royalty adjustments not specifically defined in these Guidelines are reviewed on a case-by-case basis.

Organization members are prohibited from paying personally for items with trademarks purchased for the Organization. The Campus Organizations Accounting Office will honor a voucher or P-card purchase **ONLY** if products with trademarks are purchased through a licensed vendor. If the vendor is not licensed, the Campus Organizations Accounting Office places a hold on payment and sends the information to Trademark Licensing. Since using the University's trademarks without a license is a violation, the vendor and the Organization (adviser, president and treasurer) are notified. Penalties may be applied to the vendor and/or the Organization, including, but not limited to, non-payment of a voucher, monetary penalties, product recall, and/or prohibition of the use of the University's Marks.

6. DESIGN STANDARDS

Designs that use the University's Marks must be reviewed by Trademark Licensing and are subject to the design standards established by the University

(http://www.trademark.iastate.edu/policy/tm_program.pdf). Additional standards specific to Organization's use of the marks include the following:

- a. The recognized name of the Organization must appear in the design. Trademark Licensing requires additional language and/or design details to show how an Organization is connected to the University, including, but not limited to, the requirement to use the verbiage "club", "student chapter", or other nomenclature.
- b. The use of the Marks is for activity within the scope of the Organization's recognition by the University. Student Organizations in the sponsored and affiliated tiers will generally receive preference in permission to use trademarks.
- c. The use of the Marks must be consistent with the General Principles of Section 3.

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- d. Designs must be of high quality and appropriately portray the image of the University. Designs that contain vulgar, inappropriate, or insensitive language, profanity, or words with inappropriate double meanings will not be approved.
- e. No designs that use University marks that suggest promotion of the below listed items will be approved:
 - dangerous, illegal or unhealthy products, actions or behaviors;
 - firearms and weapons in a manner which is illegal, dangerous, harmful or destructive to humans;
 - drugs and drug paraphernalia that are illegal or unhealthful;
 - alcohol consumption in an illegal or unhealthful manner, or which is inconsistent with University policy and programs;
 - gambling/gaming;
 - sexual conduct, imagery, inferences or adult industry paraphernalia; or
 - tobacco products or tobacco usage.
- f. When using the University name (ISU or Iowa State University), the official University nameplate is available to identify the Organization as provided in the Visual Identity System maintained by the Office of University Marketing (www.marketing.iastate.edu/identity/). Organizations are also allowed a wide variety of font styles when using word marks such as ISU, Iowa State, Iowa State University, or Cyclones in a descriptive manner.
- g. Use of trademarks or other intellectual property owned by a third party must be approved by that entity in writing and submitted to ISU along with the desired artwork. For example, if you wish to use artwork, slogans, or trademarks created by someone not associated with your organization, a written release allowing for such use is required before ISU will grant design approval.
- h. Organizations may list an outside entity's name and/or logo as a sponsor of the Organization on products along with University trademarks as long as there is clear separation between the University marks and the sponsor marks. A sponsor statement must be included in close proximity to the sponsor(s) such as "Sponsored by" to clearly identify their relationship to the Organization. The Organization name, per Section 6.a., must be included in the design to communicate the sponsorship is with an Organization. Use of an outside entity's name and/or logo cannot have the appearance of a University endorsement.

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- i. Organizations that are sponsoring, hosting, or co-hosting an event may use the University trademarks on products as long as the name of the event, the date of the event, and the Organization's name appear in the design. The use and placement of other entity's names and/or logos that are also sponsoring the event is allowed as long as the outside entity's name and/or logo does not have the appearance of a University endorsement of the outside entity or its products. Outside entities that are participating in the event may have their name and/or logo included in the design as long as written permission from the proper authority of the entity is provided to Trademark Licensing.

Approval and Re-approval

Trademark Licensing must approve the design prior to offering it to Organization members on a sign-up and/or pre-pay basis. This will avoid problems should Trademark Licensing not approve the design.

A design previously approved will not automatically be re-approved. Designs will be evaluated on current design standards.

7. PRODUCT STANDARDS

The following standards will be used when approving products carrying the University's name and Marks:

- all products must be of high quality;
- no products considered dangerous or offensive will be approved, including, but not limited to, products causing potential health risks, products promoting firearms and weapons, drugs or drug paraphernalia, alcohol, gambling/gaming, adult industry paraphernalia, or tobacco products;
- no products with an unusually high product liability risk will be approved;
- approval must be consistent with the General Principles in Section 3.

Exceptions will be reviewed on a case-by-case basis with final approval granted from the Senior Vice President for Business and Finance.

8. CONTACTS

If an Organization has questions about how to interpret these Guidelines, contact:

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- Trademark Licensing for information on design and product standards, Mark application, royalty, and licensing.
- Campus Organizations Accounting Office for assistance with financials, vouchers, and vendor payments;
- Student Activities Center for assistance with Clubs and Organization recognition procedures.

Trademark Licensing Office
1350 Beardshear Hall
Ames, Iowa 50011-2038
Phone: 515-294-4402
Fax: 515-294-8926
email: trademark@iastate.edu
www.trademark.iastate.edu

Campus Organizations Accounting Office
1580 Memorial Union, West SOS
Ames, IA 50011
Phone: 515-294-1633
Fax: 515-294-6497
Email: coa@iastate.edu
<http://www.controller.iastate.edu/campusorg/homepage.html>

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